

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Debra M. Brennan,

Plaintiff,

—v—

Carolyn W. Colvin, Acting Commissioner of  
Social Security

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED MAR 25 2015

13-cv-6338 (AJN) (RLE)

ORDER

ALISON J. NATHAN, District Judge:

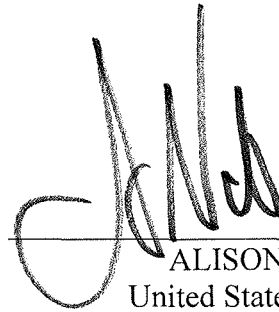
Before the Court is Judge Ellis's Report & Recommendation ("R & R") recommending that the Court grant in part Plaintiff's motion for judgment on the pleadings in this appeal of an administrative denial of social security benefits, and remand the case for further administrative proceedings. When considering the findings and recommendations of a magistrate judge, the Court may "accept, reject, or modify [them], in whole or in part." 28 U.S.C. § 636(b)(1). The Court must make a *de novo* determination of any portions of a magistrate's report or finds to which a party raises an objection, and reviews only for "clear error on the face of the record" when there are no objections to the R & R. *See Hicks v. Ercole*, No. 09-cv-2531 (AJN), 2015 WL 1266800, at \*1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F. Supp. 2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with "the definite and firm conviction that a mistake has been committed." *Laster v. Mancini*, No. 07-cv-8265 (DAB), 2013 WL 5405468, at \*2 (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

Objections to Judge Ellis's R & R were due by March 23, 2015. As of March 25, 2015, no objections have been filed. The Court thus reviews the R & R for clear error, and finds none. The Court therefore adopts the R & R in its entirety and GRANTS IN PART Plaintiff's motions

for judgment on the pleadings, on the grounds described by Judge Ellis, and REMANDS this case for further administrative proceedings.

SO ORDERED.

Dated: Mar 25, 2015  
New York, New York

A handwritten signature in black ink, appearing to read 'Alison J. Nathan', is written over a horizontal line.

ALISON J. NATHAN  
United States District Judge